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EXAMINER

TAYLOR, JOSHUA D

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

DETAILED ACTION

Response to Arguments

Applicant's arguments filed 6/1/2009 have been fully considered but they are not persuasive. Applicant argues that the combined teachings of Ellis, Robertson and Billmaier would not have led one of ordinary skill in the art at the time of the invention to Applicant's invention. Particularly, on at the bottom of page 8 of the response, regarding claim 1, Applicant suggests that Examiner mischaracterized Billmaier in the Office Action dated April 1, 2009. On page 9, third paragraph, Applicant states that “[i]mportantly, Billmaier does not disclose that quadrants 1000a - 1000d are in the same "horizontal row." Rather, Billmaier discloses that "the intersection of two displayed sequences 300a-b may generate quadrants 1000 that may be used for various purposes." (Billmaier, column 12, lines 4-8) Quadrants 1000a - 1000d are situated at the comers of, and separated by, intersecting display sequences 300a-b. Therefore, the quadrants in Billmaier are not in the same rows. This point is reinforced by the disclosure in Billmaier that "in alternative embodiments, a single vertical or horizontal sequence 300a-b may result in the creation of hemispheres (not shown) rather than quadrants 1000." (Billmaier at column 12, lines 48-51) In other words, the arrangement of "quadrants" or "hemispheres" is dictated by the configuration of horizontal or vertical sequences 300a-b, and not a desire to arrange the information into rows.” Examiner contends that although there may be alternate embodiments of Billmaier in which there are not the same number of columns and rows as shown in Fig. 10, the fact that Fig. 10 demonstrates that separate, distinct areas can be laid out in such a manner on a television display, with other areas located above, below, to the left or to the right, teaches that one of ordinary skill in the art

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at the time of the invention would have been aware that such a layout were possible. Examiner reminds Applicant that one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). The teachings of Ellis and Robertson disclose the concept of filtering data, but from that teaching there are literally an infinite number of ways in which to display these filters to users. Describing one of these specific configurations may in some cases have novelty; however, in the instant case Examiner believes that there was sufficient teaching in the prior art describing displays similar to that of Applicant's that one of ordinary skill in the art at the time of the invention would have found it obvious to create Applicant's particular display.

/Josh Taylor/

Examiner, Art Unit 2426

/Joseph P. Hirl/

Supervisory Patent Examiner, Art Unit 2426

June 6, 2009